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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: FULLER, Douglas D.

Group Art Unit: 3751

Serial No. 10/821,686

Examiner: NGUYEN, T. N.

Filed: 04/09/2004

Atty. Dkt. No: DF001-US

For: HAND-HELD SELF-DISPENSING APPLICATOR

To: Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

From:

24222

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I hereby certify that this paper is being transmitted by facsimile to the Commissioner of Patents and Trademarks to the attention of Examiner T. N. Nguyen at facsimile # 703-872-9306 and telephone # 703-306-9046 on the date shown below.

Date:

08/16/2004

Debra A. Stengel
[X] Debra A. Stengel or [] Scott J. Asmus, Reg. #42,269

Response to Restriction Requirement

In response to the Office Action dated 7/23/2004, the Applicant has timely enclosed herein: 8 pages of claims and remarks.

Amendments to the Claims (if any) are reflected in the corresponding section, which begins on page 2 of this paper, and include a complete claim listing.

Remarks begin on page 7 of this paper.

DEPOSIT ACCOUNT 190130 AUTHORIZATION – All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the attached submittal to the below listed deposit account, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus, contact telephone no. 603-886-6100. Deposit Account No. 500323.

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AMENDMENTS TO THE CLAIMS

1. (Original) A hand-held self-dispensing applicator device comprising:
a housing having an outer surface and an internal reservoir for holding dispensable product, wherein a plurality of pores fluidly couple the internal reservoir and the outer surface of the housing;
a bladder within the internal reservoir; and
a pressure inducing mechanism operatively coupled to the bladder, and adapted to increase pressure within the bladder so as to provide a positive pressure in the internal reservoir, thereby causing the product to flow through the plurality of pores to the outer surface of the housing.
2. (Original) The device of claim 1 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to provide a soft and resilient application surface.
3. (Original) The device of claim 1 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to control the flow of the product through the plurality of pores to the outer surface of the housing.
4. (Original) The device of claim 3 wherein the housing jacket includes a number of flow holes that are substantially offset from the plurality of pores.
5. (Original) The device of claim 1 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with the positive pressure in the internal reservoir to control the flow of the product through the plurality of pores, as well as to inhibit flow of secondary fluids into the internal reservoir.
6. (Original) The device of claim 1 further comprising:

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a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with physical attributes of the product to control the flow of the product through the plurality of pores.

7. (Original) The device of claim 1 wherein the pressure inducing mechanism includes at least one of a pump chamber and plunger arrangement, a one-way valve scheme, a seal and retention scheme, and an external charging station.

8. (Original) The device of claim 1 where the pressure inducing mechanism includes a pressurized container that is forced into releasing its contents at least partially thereby increasing the pressure within the bladder.

9. (Original) The device of claim 1 where the pressure inducing mechanism is adapted to exploit by-products of a chemical reaction to increase the pressure within the bladder.

10. (Original) The device of claim 1 where the pressure inducing mechanism is activated by a user.

11. (Original) A hand-held self-dispensing applicator device, comprising:
a housing having an outer surface and an internal reservoir for holding dispensable product, wherein a plurality of pores fluidly couple the internal reservoir and the outer surface of the housing; and
a pressure inducing mechanism adapted to provide a positive pressure in the internal reservoir which causes the product in the internal reservoir to flow through the plurality of pores to the outer surface of the housing.

12. (Original) The device of claim 11 wherein the pressure inducing mechanism includes at least one of a pump chamber and plunger arrangement, a one-way valve scheme, a seal and retention scheme, and an external charging station.

13. (Original) The device of claim 11 further comprising:

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a housing jacket disposed on the outer surface of the housing, the jacket adapted to control the flow of the product through the plurality of pores to the outer surface of the housing.

14. (Original) The device of claim 13 wherein the housing jacket includes a number of flow holes that are substantially offset from the plurality of pores.

15. (Original) The device of claim 11 further comprising:

a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with the positive pressure in the internal reservoir to control the flow of the product through the plurality of pores.

16. (Original) The device of claim 11 further comprising:

a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with physical attributes of the product to control the flow of the product through the plurality of pores.

17. (Original) The device of claim 11 where the pressure inducing mechanism is activated by a user.

18. (Original) The device of claim 11 wherein the pressure inducing mechanism includes a pump chamber and plunger arrangement configured to operate in conjunction with a one-way flap valve.

19. (Original) A hand-held self-dispensing applicator device, comprising:

a housing having an outer surface, and an internal reservoir for holding dispensable product, wherein porous qualities of the housing fluidly couple the internal reservoir and the outer surface; and

a bladder within the internal reservoir, configured to provide a positive pressure in the internal reservoir, which causes the product in the internal reservoir to flow to the outer surface of the housing.

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20. (Original) The device of claim 19 wherein the porous qualities of the housing are provided by a plurality of flow holes in the outer surface.

21. (Original) A hand-held self-dispensing applicator device, comprising:
a housing having an outer surface, and an internal reservoir for holding dispensable product, wherein porous qualities of the housing fluidly couple the internal reservoir and the outer surface;

wherein the internal reservoir can be pressurized to provide a positive pressure in the internal reservoir that causes the product in the internal reservoir to continuously flow to the outer surface of the housing for a period of 10 seconds or more.

22. (Original) The device of claim 21 wherein the porous qualities of the housing are provided by a plurality of flow holes in the outer surface.

23. (Original) The device of claim 21 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to control the flow of the product to the outer surface of the housing.

24. (Original) The device of claim 21 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to restrict the flow of the product to the outer surface of the housing.

25. (Original) The device of claim 21 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with the positive pressure in the internal reservoir to control the flow of the product to the outer surface of the housing, as well as to inhibit flow of secondary fluids into the internal reservoir.

26. (Original) The device of claim 21 further comprising:
a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with physical attributes of the product to control the flow of the product to the outer surface of the housing.

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27. (Original) A hand-held self-dispensing applicator device, comprising:

a housing having an outer surface and an internal reservoir for holding dispensable product, wherein a plurality of pores fluidly couple the internal reservoir and the outer surface; and

a pump chamber and plunger arrangement configured to operate in conjunction with a one-way valve to provide a positive pressure in the internal reservoir which causes the product in the internal reservoir to continuously flow through the plurality of pores to the outer surface of the housing for a period of 10 seconds or more.

28. (Original) The device of claim 27 further comprising:

a bladder within the internal reservoir and operatively coupled to the pump chamber, thereby enabling expansion of the bladder so as to provide the positive pressure in the internal reservoir.

29. (Original) The device of claim 27 further comprising:

a housing jacket disposed on the outer surface of the housing, the jacket adapted to operate in conjunction with the positive pressure in the internal reservoir to control the flow of the product through the plurality of pores, and to inhibit flow of secondary fluids into the internal reservoir.

30. (Original) The device of claim 29 wherein the housing jacket includes a number of flow holes that are substantially offset from the plurality of pores.

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REMARKS

Claims 1-30 were presented for examination. The Examiner issued a restriction requirement. No claims are being amended, withdrawn, or cancelled at this time.

On August 11, 2004, the Examiner granted the Applicant's attorney the courtesy of a telephonic interview to this discuss the restriction requirement. The Applicant proposed the election of species (I), and his belief that all claims 1-30 read thereon. The Examiner indicated this was an acceptable response, and that he would review the claims accordingly once he received this response.

Thus, the Applicant herein elects Species (I): Figures 1a-d, and respectfully submits that all claims 1-30 read thereon.

To further his understanding of that which is disclosed in the Applicant's Figures 1a-d, the Applicant respectfully requests the Examiner to review the detailed description associated with Figures 1a-d, and in particular, paragraph numbers 0044 and 0048 of the originally filed application, which further explain optional features associated with the Species illustrated in Figures 1a-d:

"[0044] Note that the characteristics of jackets 4 and 5 can be combined into a single jacket, or assigned to respective jackets. For example, in one particular embodiment, the housing 1 has a plurality of holes that provide a first seepage layer; the jacket 4 layer has a plurality of holes that provides an intermediate seepage layer; and the jacket 5 has a plurality of holes (or porous characteristics) that provides a third and outer seepage layer. The holes of each layer can be spaced so that direct alignment between layers is avoided, which will in-turn prohibit direct product flow from the reservoir 6 to the outer surface of the device, as well as intake of secondary fluids. Any one or combination of the jacket characteristics can be employed, but none are required for the present invention to operate. The optional housing jacket design scheme is a function of desired device performance, device feel, unit cost, and manufacturability. Numerous configurations will be apparent in light of this disclosure."

"[0048] Alternatively, the reservoir 6 can be recharged with product by coupling the device to a product charging station (e.g., Figures 3a and 3b) by way of the device's self-sealing valve 7. This valve can be made of resilient rubber that can be punctured by or otherwise yield to

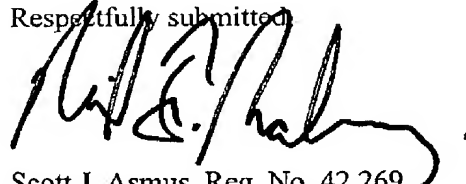
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the charging nozzle of a recharging station. Once the reservoir 6 is recharged, the device can be withdrawn from the charging nozzle, and is ready for its next use."

The Applicant also respectfully requests the Examiner to acknowledge the information disclosure statement mailed on July 27, 2004.

The Applicant believes the above remarks to be fully responsive. Favorable action is solicited. The Applicant kindly invites the Examiner to contact the undersigned attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,



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